

The other ways:

Doomsaying and know-nothingism gets better headlines and work well for direct-mail fundraising . . . but a serious look at the data helps us to appreciate how far we've come, and helps us set priorities for the next generation of environmental activism.

Whenever we hear a lot of doomsaying that we are doing very badly, the scorecard reports to us overall a different kind of story. The only place we are not making any improvements at all is on the lands the Federal Government manages, not the land that is managed in the private sector.

I ask unanimous consent the entire text of the press release be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EARTH DAY IS CAUSE FOR CELEBRATION:
ENVIRONMENTAL TRENDS MOSTLY POSITIVE

(By Steven Hayward, with Michael De Alessi, Holly L. Fretwell, Brent Haglund, Joel Schwartz, Ryan Stowers, and Sam Thernstrom)

SAN FRANCISCO.—The ninth annual Index of Leading Environmental Indicators, released today by the Pacific Research Institute and the American Enterprise Institute, shows that the environment continues to be America's single greatest policy success. Environmental quality has improved so much, in fact, that it is nearly impossible to paint a grim, gloom-and-doom picture anymore.

Environmental quality is improving steadily and in some cases dramatically in key areas: Average vehicle emissions are dropping about 10 percent per year as the fleet turns over to inherently cleaner vehicles, including modern SUVs; ninety-four percent of the population is served by water systems that have reported no violations of any health-based standards; there has been a 55-percent decline in toxic releases since 1988, even while total output of the industries covered by this measurement has increased 40 percent; and despite most popular assumptions, U.S. air quality trends are found to be at least equal, if not slightly better, than in Europe.

This year's Index includes a list of the media's best environmental reporting. Featured outlets include Boston Globe, Washington Post, Atlantic Monthly, New York Times, Los Angeles Times, The New Republic, and Wall Street Journal.

There have also been notable improvements in government reporting, with the EPA's first-ever composite on national trends and state-based initiatives to improve water-quality monitoring.

Private conservation efforts, such as Ducks Unlimited and the Peregrine Fund, and private water trusts have been highly successful.

And recent findings in climate-change science also give reason for hope. Because the climate models have been based on flawed economic assumptions, there is even greater uncertainty now in the range of CO₂ emissions projections. This means the prognosis is probably not as grim as conventional wisdom would have us believe.

The Index shows that one of the few areas to show a decline in quality is that of public lands. While funding and land allotments have increased, quality has deteriorated by most significant measures. The root of the problem is an excess of political management, and the answer can be found in innovative solutions such as land trusts and resource leases.

This year's Index also includes a special section comparing air quality in the U.S. and Europe.

"Doomsaying and know-nothingism get better headlines and work well for direct-mail fundraising," said lead author Steven Hayward, "but a serious look at the data helps us appreciate how far we've come, and helps set priorities for the next generation of environmental activism."

Mr. BURNS. Madam President, I yield the floor. I thank the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

MARY MCGRORY

Mr. LEAHY. Madam President, as I came on the floor, I heard a discussion of several Senators about the passing of Mary McGrory.

The distinguished senior Senator from Utah, who is now on the floor, and I were talking to editors and others at a press gathering in Washington this morning. I mentioned Mary McGrory at the beginning of that.

When Marcelle and I first came to Washington, Mary was one of the first people we met. I always enjoyed my time with her. She was a great writer with searching questions, and did not suffer fools idly. She was very quick and very able in deflating those who had inflated themselves far beyond what they deserved.

She also helped so many people. I remember the girl from an orphanage she helped, referring to her as "Mary McGlory." Indeed, she has gone to her own glory now, but she made it possible for some others.

She was a remarkable person, a remarkable person who will not be matched. There will be many others who will carry the banner, but none will do it with her ability.

I also liked the fact every time she would take a vacation in Italy she would come and chat with me about it. My mother's family is still in Italy. We would discuss favorite recipes, notwithstanding our Irish names.

EARTH DAY

Mr. LEAHY. Madam President, Earth Day usually marks the beginning of the President's and his green team's migration out to our Nation's parks, forests, and wildlife refuges.

Since this is an election year, I am sure they are ramping up their efforts to greenwash their environmental record with very nice photo ops.

Greenwash, like whitewash, doesn't stick. You have only to open the daily newspaper to see the laserlike focus the Bush administration has taken to rolling back our environmental laws, and while doing so rewarding special interests and corporate polluters. The starkest example is their outright assault on the most bipartisan environmental law of the 20th century, the Clean Air Act. I say bipartisan because leading Republicans and leading Democrats across the political spectrum, in the House and in the Senate, came together to pass the Clean Air Act. My

predecessor, the senior Senator from Vermont, Bob Stafford, was one of those leaders.

You would think of all acts, one that would be put together by Republicans and Democrats would be safe from assault by this Administration. That is not the case.

By stealthy executive fiat, the Administration has dismantled the Clean Air Act bit by bit to let polluting industries off the hook when it comes to cleaning up dirty coal-fired powerplants that each year belch hundreds of thousands of tons of soot and toxic pollutants—pollutants like mercury.

The administration's actions to retreat from strong mercury controls, to undermine current lawsuits against the biggest utility companies, and to allow new coal-fired powerplants to be built without the best controls amounts to a triple whammy for public health and the environment.

We often speak about being family friendly in this body. How do we tell a pregnant mother or a parent with small children how family friendly it is to allow more mercury into our air and into our water and the fish we eat.

When the Clean Air Act was passed, Congress gave coal-fired powerplants a grace period to either clean up or shut down. At the end of the Clinton administration, we were making real progress toward meeting that goal. States such as my State of Vermont, which have been the dumping ground for toxic pollutants like mercury for decades, were finally going to get some relief. But, unfortunately, the only people letting out a sigh of relief now are the CEOs and corporate attorneys in the boardrooms of multibillion dollar energy companies. They are the only ones celebrating this Earth Day.

Despite all of the administration's public relations tactics, I believe the American people are catching on, and enough is enough. To date, this Administration has made well over 300 rollbacks to our environmental protections. Think of that, three years in office and they have had 300 rollbacks of our environmental laws.

There is certainly a lot about which the American people should be outraged. But I think it is important to take note of the strong bipartisan and growing outcry about the Administration's latest retreat from the Clean Air Act in the form of its mercury proposal.

Senators SNOWE, JEFFORDS, DAYTON, and I were joined by 41 other Senators in calling on the administration to withdraw its mercury proposal. The concerns are building so swiftly they may soon reach critical mass.

Look at this map. It gives some indication why the concerns are so great and why the objections are bipartisan.

This is the Environmental Protection Agency's own map: "Mercury Deposition in the United States."

This is the Canadian border along here. Look how the mercury, because they are willing to violate and allow

violations of the Clean Air Act, comes across. Look how it inundates the States in this area. My own State of Vermont is basically hidden under the deepest red of mercury pollution on the chart.

The new EPA proposal to reduce mercury emissions was supposed to bring the powerplants into the 21st century and clean up their emissions. It does not do that. It falls short of what is necessary and falls far short of what is possible.

Despite the Administration's best efforts to use every tactic in its public relations arsenal to convince Americans more mercury in the water, food, and environment over a long period of time is the best we can do, it is not working.

In the last 2 months, much has come to light about the Administration's close collusion with polluting industries and devising its policy on mercury. The lobbyists from the industry sent their proposal to the Administration. The Administration does not even pretend to look at this scientifically or be independent. They just take it verbatim. They might as well have kept the letterheads from some of these companies. Instead of using the EPA letterhead, they could put "Polluters 'R Us," or whatever industry sent to them. There are 20 examples where industry helped ghostwrite the mercury proposal.

In a way, it is almost humorous that they would be so blatant about turning this over to the polluters, except that it suggests a very serious breach of the public rulemaking process and undermines the public trust in EPA's ability to be an independent decision-maker and perform its mission to protect human health and safeguard the natural environment.

This Administration has a credibility problem about its approach to the Clean Air Act and to mercury pollution. New warnings about mercury risk from tuna, increasing numbers of pregnant women with mercury levels above safe levels, more newborns being born with high mercury levels, all are adding up to widespread and growing public demand for prompt action. We know from reports in the New York Times that the Bush administration employed a favorite tactic of sweeping science under the rug when it was drafting the mercury proposal.

But we cannot ignore the facts. This chart shows the estimates of newborn children and women with unsafe mercury blood levels. They have doubled. These are some of the estimates from EPA scientists about which the White House wished the American people did not know.

Anyone who has children or grandchildren should worry about this issue. Anybody who is expecting a child should worry about what this administration is doing. Anybody who has young children should worry about what they are doing. The estimate of women of childbearing age with mer-

cury levels above what EPA considers safe has doubled. Apparently, the administration does not want the public to know that their mercury proposal does not go far enough fast enough to protect mothers and newborns from mercury.

The same strategy is to ignore career staff and public health experts in the administration's proposal to write a giant loophole into the Clean Air Act New Source Review, called NSR. For anyone who has not seen it, I suggest a careful reading of the New York Times magazine article from several weeks ago titled "Up In Smoke" to see how the Bush administration strategically placed industry lawyers in key positions at EPA, spending the last few years helping the biggest utility companies in the country get off the legal hook of pollution control plans. They put the fox in to guard the henhouse. They have said to industry—and these are industries that contributed mightily to this administration—they have said: We will set aside the nonpartisan nonpolitical scientists; we will set aside the people whose sworn duty is to be here to protect the American public; we will put your lawyers in place, and we will let them write the rules for the rest of the country.

Agency experts repeatedly warned the political appointees at the EPA that through new policy, this new NSR policy would undercut the lawsuits.

And they went even further. They gave industry even more than they asked for and now industry attorneys are going to court where cases have been brought and are saying they should be dismissed because of the administration's actions. This is a very real problem in States like mine, if you are downwind.

If Government wins the NSR cases despite the administration's back-door tactics and hundreds of thousands of tons of toxic pollutants will be cut.

Unfortunately, the Bush administration is not satisfied. Retreating from strong mercury controls, undermining the NSR cases, is not enough. We now have reports that say the administration is considering new guidelines to States to limit their ability to require that new coal-fired plants use the best available technology to reduce emissions. That should set off alarm bells in the Northeast.

This chart shows where new proposed plants are. The power industry has plans to build nearly 100 new coal-fired powerplants in the United States over the next 10 years, but the administration is trying to make darn sure they do not have to put in the kind of technology necessary to cut pollutants. These plants, located mostly in the Midwest and Great Lakes, will add thousands of pounds of new pollutants to our Nation's air.

Over the last several decades, we have learned what comes out of the plants ends up in the lakes, rivers, and streams, as well as the food supplies of the children in the Northeast.

If coal really is making a come back, as people predict, we should ensure it is not at the expense of our health and environment. On every front, the Bush administration is selling American technology and American ingenuity short. The administrations is setting the bar way too low, and they have set the clock for far too long. The technology exists to go much further. The administration needs to start putting the public interest ahead of special interests and tell the industry to use it. Just think of that, putting the public interest ahead of special interest. What a novel idea. If we did that, the American people would much better served.

I hope the administration will withdraw its industry-ghostwritten, scientifically unjustifiable mercury rule, withdraw its NSR policy and drop plans to allow new powerplants to be built without the best environmental controls. I worry that the industry stalwarts within the administration will continue with their schemes to let corporate polluters off the hook.

Remember, this is the same White House that tried to put more arsenic in our drinking water. The American people know their real slogan is, "Go ahead and pollute, we don't give a hoot."

I yield the floor.

Mr. HATCH. What is the parliamentary situation?

The PRESIDING OFFICER. There are 3½ minutes on the majority side for morning business.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Utah.

PRO-ENVIRONMENT ADMINISTRATION

Mr. HATCH. Mr. President, I do not know how anybody can walk on the Senate floor and say Republicans—any Republicans or Democrats—are not for the environment.

Now, I have to say we from the West understand the importance of balancing the environment with jobs and families and opportunities. I think we do a pretty good job. We have to continue to be vigilant about the environment. But I think to try to make the case that this administration is anti-environment is not only a stretch, it is false.

This administration is pro-environment, but it is also pro-jobs, pro-family, pro-geographical areas, pro-West, and pro-proper utilization of Federal lands—almost all of which the environmental extremists decry.

To accuse the administration of putting arsenic in the water or being part of something that puts arsenic in the water is, I think, beyond the pale. The fact is, in many municipalities and towns the small bits of arsenic in the water are not dangerous, according to the EPA and others, but the costs of trying to change their water systems are so exorbitant they could not exist as towns.

Nobody wants any dilatory substance in our water. In fact, for years this